

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	3:13-CR-109-MMD-(WGC)
)	
ARNOLDO DIAZ-CARDENAS,)	
)	
Defendant.)	

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on August 21, 2014, defendant ARNOLDO DIAZ-CARDENAS pled guilty to Count One of a One-Count Second Superseding Information charging him with Conspiracy to Manufacture Marijuana Plants in violation of Title 21, United States Code, Sections 841(a)(1) and 846. Second Superseding Information, ECF No. 78; Plea Agreement, ECF No. 79; Change of Plea, ECF No. 80.

This Court finds defendant ARNOLDO DIAZ-CARDENAS agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Second Superseding Information. Second Superseding Information, ECF No. 78; Plea Agreement, ECF No. 79; Change of Plea, ECF No. 80.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Second Superseding Information and the offense to which defendant ARNOLDO DIAZ-CARDENAS pled guilty.

1 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section
2 924(d)(1) and Title 28, United States Code, Section 2461(c):

- 3 1. .22 caliber Savage Revelation model 115, bearing serial number C666898; and
 - 4 2. any and all ammunition
- 5 (all of which constitutes "property").

6 This Court finds the United States of America is now entitled to, and should, reduce the
7 aforementioned property to the possession of the United States of America.

8 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
9 United States of America should seize the aforementioned property.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
11 ARNOLDO DIAZ-CARDENAS in the aforementioned property is forfeited and is vested in the
12 United States of America and shall be safely held by the United States of America until further order
13 of the Court.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
15 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
16 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
17 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
18 name and contact information for the government attorney to be served with the petition, pursuant to
19 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
21 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate
22 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the
23 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and
24 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's
25 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's
26 petition and the relief sought.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
2 with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South
3 Virginia Street, 3rd Floor, Reno, NV 89501, no later than thirty (30) days after the notice is sent or, if
4 direct notice was not sent, no later than sixty (60) days after the first day of the publication on the
5 official internet government forfeiture site, www.forfeiture.gov.

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
7 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
8 following address at the time of filing:

9 Greg Addington
10 Assistant United States Attorney
11 100 West Liberty Street, Suite 600
Reno, NV 89501

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
13 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
14 following publication of notice of seizure and intent to administratively forfeit the above-described
15 property.

16 DATED this 4th day of September, 2014.

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20 UNITED STATES DISTRICT JUDGE
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